

EXHIBIT C

Notice of AllowabilityApplication No.
08/535,801Applicant(s)
Salazar et al.Examiner
Myron WycheGroup Art Unit
2744

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

- ☒ This communication is responsive to 10-31-97.
- ☒ The allowed claim(s) is/are 1-10, 12-27 and 38-45, subsequently renumbered 1-34.
- ☐ The drawings filed on _____ are acceptable.
- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- *Certified copies not received: _____.
- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☒ Applicant MUST submit NEW FORMAL DRAWINGS
- ☒ because the originally filed drawings were declared by applicant to be informal.
- ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.
- ☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.
- ☐ including changes required by the attached Examiner's Amendment/Comment.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.
- ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Interview Summary, PTO-413
- ☒ Examiner's Amendment/Comment
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☒ Examiner's Statement of Reasons for Allowance

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DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 112

2. Claims 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 recites the limitation "used to operate said communication device" on page 3 line 15. There is insufficient antecedent basis for this limitation in the claim. For the purposes of this examination, the Examiner assumes the limitation to be "used to operate said system", as stated in claim 1, page 1, line 5.

In response to Applicant's amendment filed on 10-31-97, the Examiner withdraws the above rejection.

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Allowable Subject Matter

3. Claims 1-10, 12-27 and 38-45, subsequently renumbered 1-34 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Though remote control systems with the capability of communicating with a plurality of external devices with different communication protocols and command codes are well known in the art (e.g., Krisbergh et al. (US 5,138,649), Amano et al. (US 4,999,622)), a communications, command, control and sensing system, as defined by Applicant's independent claims, with the additional capability to recreate an external devices command code set from a set of parameters for the external device and thus, reduce the required memory space to store command code sets to that of the parameter set alone **has not been observed in the prior art.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joseph Sofer on 2-17-98.

6. The application has been amended as follows:

Originally numbered Claims ~~28-37~~, which were subject to restriction, have been canceled.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Myron Wyche whose telephone number is (703) 308-6729. The Examiner

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can normally be reached between 6:30 a.m. and 4:00 p.m. EST. The Group FAX number is (703) 308-9508.

Any inquiry of a general nature or relating to the status of this application should be directed the Group receptionist whose telephone number is (703) 305-3900.



Myron Wyche

February 17, 1998



DWAYNE D. BOST
SUPERVISORY PATENT EXAMINER
GROUP 2700